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EXAMINER

PHAN, HUY Q

ART UNIT	PAPER NUMBER
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2685

DATE MAILED: 08/12/2004

5

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/058,721

Applicant(s)

REHKOPF, THOMAS W.

Examiner

Huy Q Phan

Art Unit

2685

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 January 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-45 is/are rejected.
- 7) ☒ Claim(s) 21 and 22 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claims 21 and 22 are objected to because they should not be depended on claim 14. For examining purpose, the examiner assumes claims 21 and 22 being directly depended on claim 15.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 3-7, 9—20, 23-25 and 34-44 are rejected under 35 U.S.C. 102(e) as being anticipated by Wong et al. (US-6,484,096).

Regarding claim 1, Wong et al. disclose in figure 1, an apparatus for accessing a computer application via a wireless communication network, the apparatus comprising:

a global positioning device (102); and

a two-way wireless communication device (100) in communication with the global positioning device (col. 3, line 64-col. 4, line 34).

Regarding claim 3, Wong et al. disclose an apparatus as recited in the rejection of claim 1, wherein the two-way wireless communication device comprises a radio modem (fig. 1, box 103).

Regarding claim 4, Wong et al. disclose an apparatus as recited in the rejection of claim 1, wherein the two-way wireless communication device comprises a cellular telephone (inherently to mobile unit; see col. 3, lines 26-53).

Regarding claim 5, Wong et al. disclose an apparatus as recited in the rejection of claim 1, further comprising a processor (fig. 6, box 605 and col. 6, lines 28-30) in communication with the global positioning device and in communication with the two-way wireless communication device (fig. 1 and col. 3, line 64-col. 4, line 34).

Regarding claim 6, Wong et al. disclose an apparatus as recited in the rejection of claim 5, further comprising a user interface (fig. 1, box 112) in communication with the processor (fig. 6, box 605 and col. 6, lines 28-30).

Regarding claim 7, Wong et al. disclose in figure 1, a method for requesting location dependent information, comprising:

receiving signals from a global positioning system (col. 4, lines 3-4);

calculating a location based upon the received signals (col. 4, lines 14-34);

receiving an indication of a service request from a user interface (col. 4, lines 14-34);

formatting the service request indication as a message for communication over a wireless network (col. 4, lines 14-34 and col. 7, line 59-col. 8, line 67); and

sending the formatted service request message over the wireless network (col. 4, lines 14-34 and col. 7, line 59-col. 8, line 67).

Regarding claim 9, Wong et al. disclose a method as recited in the rejection of claim 7, wherein calculating a location comprises calculating a latitude and longitude (col. 8, line 23-col. 9, line 14).

Regarding claim 10, Wong et al. disclose a method as recited in the rejection of claim 7, wherein receiving an indication of a service request comprises:

displaying a menu containing a plurality of service request indications (col. 4, lines 53-61); and

receiving a selection of one of the plurality of service request indications (col. 4, lines 53-61).

Regarding claim 11, Wong et al. disclose a method as recited in the rejection of claim 7, wherein formatting the service request indication comprises formatting the service request indication in an e-mail message (col. 4, lines 53-61).

Regarding claim 12, Wong et al. disclose a method as recited in the rejection of claim 11, wherein formatting the service request indication further comprises appending the calculated location to the e-mail message (col. 4, line 35-col. 5, line 35).

Regarding claim 13, Wong et al. disclose a method as recited in the rejection of claim 7, further comprising receiving a reply message from the wireless network, the reply message containing location dependent information (col. 4, line 35-col. 5, line 35).

Regarding claim 14, Wong et al. disclose a method as recited in the rejection of claim 13, further comprising:

 parsing the location dependent information from the message (inherently to col. 4, lines 53-61); and

 displaying the location dependent information in a graphical form (inherently to col. 4, lines 53-61).

Regarding claim 15, Wong et al. disclose in figure 1, a method for providing server access to a wireless communication device that communicates over a wireless network, comprising:

 receiving a message from a wireless network, the message containing a service request indication (col. 7, lines 47-52);

 parsing the service request indication from the message (inherently to col. 4, lines 53-61 and col. 7, line 52-col. 8, line 67);

determining a service request based upon the service request indication
(inherently to col. 4, lines 53-61 and col. 7, line 52-col. 8, line 67);

determining a server capable of servicing the service request (inherently to col. 4,
lines 53-61 and col. 7, line 52-col. 8, line 67);

requesting the service from the server (inherently to col. 4, lines 53-61 and col. 7,
line 52-col. 8, line 67);

receiving a reply from the server in response to requesting the service (inherently
to col. 4, lines 53-61 and col. 7, line 52-col. 8, line 67);

formatting the reply as a message for communication over the wireless network
(col. 4, lines 53-61 and col. 7, line 52-col. 8, line 67); and

sending the formatted reply message to the wireless communication device (col.
4, lines 53-61 and col. 7, line 52-col. 8, line 67).

Regarding claim 16, Wong et al. disclose a method as recited in the rejection of
claim 15, wherein receiving a message comprises receiving an e-mail message (col. 4,
lines 53-61).

Regarding claim 17, Wong et al. disclose a method as recited in the rejection of
claim 15, wherein the received message further contains a location indication
(inherently to col. 4, lines 53-61).

Regarding claim 18, Wong et al. disclose a method as recited in the rejection of

claim 17, further comprising parsing the location indication from the message (inherently to col. 4, lines 53-61).

Regarding claim 19, Wong et al. disclose a method as recited in the rejection of claim 18, further comprising determining a location based upon the parsed location indication (inherently to col. 4, lines 53-61).

Regarding claim 20, Wong et al. disclose a method as recited in the rejection of claim 19, wherein requesting the service from the server further comprises sending the location to the server (inherently to col. 4, line 35-col. 5, line 35).

Regarding claim 23, Wong et al. disclose in figure 1, method for sending location dependent information to a wireless communication apparatus that communicates over a wireless network, comprising:

receiving the location of the wireless communication apparatus (col. 7, lines 47-52);

determining information based on the received location (col. 7, lines 50-57);

formatting the information as a message for communication over the wireless network (col. 7, line 54-col. 8, line 22); and

sending the formatted message to the wireless communication apparatus via the wireless network (col. 7, line 54-col. 8, line 22).

Regarding claim 24, Wong et al. disclose a method as recited in the rejection of claim 23, wherein formatting the information as a message comprises formatting the information as an e-mail message for communication over the wireless network (col. 4, lines 53-61).

Regarding claim 25, Wong et al. disclose a method as recited in the rejection of claim 23, further comprising requesting the location of the wireless communication apparatus at intervals (col. 7, line 59-col. 8, line 22).

Regarding claim 34, Wong et al. disclose figure 6, a computer-readable medium having instructions stored (fig. 6, box 606) thereon for requesting location dependent information, the instructions, when executed on a processor (fig. 6, box 605 and col. 6, lines 25-60), causing the processor to perform the following:

- receiving signals from a global positioning system (col. 4, lines 3-4);
- calculating a location based upon the received signals (col. 4, lines 14-34);
- receiving an indication of a service request from a user interface (col. 4, lines 14-34);
- formatting the service request indication as a message for communication over a wireless network based (col. 4, lines 14-34 and col. 7, line 59-col. 8, line 67); and
- sending the formatted service request message over the wireless network (col. 4, lines 14-34 and col. 7, line 59-col. 8, line 67).

Regarding claim 35, Wong et al. disclose a computer-readable medium as recited in the rejection of claim 34, wherein calculating a location comprises calculating a latitude and longitude (col. 8, line 23-col. 9, line 14).

Regarding claim 36, Wong et al. disclose a computer-readable medium as recited in the rejection of claim 34, wherein formatting the service request indication comprises formatting the service request indication in an e-mail message (col. 4, lines 53-61).

Regarding claim 37, Wong et al. disclose a computer-readable medium as recited in the rejection of claim 36, wherein formatting the service request indication further comprises appending the calculated location to the e-mail message (col. 4, line 35-col. 5, line 35).

Regarding claim 38, Wong et al. disclose a computer-readable medium as recited in the rejection of claim 34, wherein the instructions further cause the processor to perform receiving a reply message from the wireless network, the reply message containing location dependent information (col. 4, line 35-col. 5, line 35).

Regarding claim 39, Wong et al. disclose a computer-readable medium having instructions stored (fig. 6, box 606) thereon for providing server access to a wireless communication device that communicates over a wireless network, the instructions

when executed on a processor (fig. 6, box 605 and col. 6, lines 25-60), causing the processor to perform the following:

receiving a message from a wireless network, the message containing a service request indication (col. 7, lines 47-52);

parsing the service request indication from the message; determining a service request based upon the service request indication (inherently to col. 4, lines 53-61 and col. 7, line 52-col. 8, line 67);

determining a server capable of servicing the service request; requesting the service from the server (inherently to col. 4, lines 53-61 and col. 7, line 52-col. 8, line 67);

receiving a reply from the server in response to requesting the service (inherently to col. 4, lines 53-61 and col. 7, line 52-col. 8, line 67);

formatting the reply as a message for communication over the wireless network (inherently to col. 4, lines 53-61 and col. 7, line 52-col. 8, line 67); and

sending the formatted reply message to the wireless communication device (inherently to col. 4, lines 53-61 and col. 7, line 52-col. 8, line 67).

Regarding claim 40, Wong et al. disclose a computer-readable medium as recited in the rejection of claim 39, wherein receiving a message comprises receiving an e-mail message (col. 4, lines 53-61).

Regarding claim 41, Wong et al. disclose a computer-readable medium as

recited in the rejection of claim 39, wherein the received message further contains a location indication and the instructions further cause the processor to perform:

 parsing the location indication from the message (inherently to col. 4, lines 53-61 and col. 7, line 52-col. 8, line 67); and

 determining a location based upon the parsed location indication (inherently to col. 4, lines 53-61 and col. 7, line 52-col. 8, line 67).

Regarding claim 42, Wong et al. disclose a computer-readable medium as recited in the rejection of claim 41, wherein requesting the service from the server further comprises sending the location to the server (inherently to col. 4, lines 53-61 and col. 7, line 52-col. 8, line 67).

Regarding claim 43, Wong et al. disclose a computer-readable medium (fig. 6, box 606) having instructions stored thereon for sending location dependent information to a wireless communication apparatus that communicates over a wireless network, the instructions when executed on a processor (fig. 6, box 605 and col. 6, lines 25-60), causing the processor to perform the following:

 receiving the location of the wireless communication apparatus (col. 7, lines 47-52);

 determining information based on the received location (col. 7, lines 50-57);

 formatting the information as a message for communication over the wireless network (col. 7, line 54-col. 8, line 22); and

sending the formatted message to the wireless communication apparatus via the wireless network (col. 7, line 54-col. 8, line 22).

Regarding claim 44, Wong et al. disclose a computer-readable medium as recited in the rejection of claim 43, wherein formatting the information as a message comprises formatting the information as an e-mail message for communication over the wireless network (col. 4, lines 53-61).

4. Claims 30, 31 and 33 are rejected under 35 U.S.C. 102(e) as being anticipated by Darby (US-2002/0006787).

Regarding claim 30, Darby discloses a method of providing services to wireless communication apparatus users comprising:

- receiving an e-mail message that contains a request for a service [0031];
- providing the service requested [0031]; and
- charging a fee for the service provided [0031].

Regarding claim 31, Darby discloses a method as recited in the rejection of claim 30, further comprising:

- determining a sending pager of the e-mail message [0031];
- performing an authentication check of the sending pager [0037]; and
- forwarding the e-mail message and the results of the authorization check to the server [0037].

Regarding claim 33, Darby discloses a method as recited in the rejection of claim 30, wherein providing the service requested comprises determining a server capable of servicing the service request [0037].

5. Claims 26 and 45 are rejected under 35 U.S.C. 102(e) as being anticipated by Dowling et al. (US-6,522,875).

Regarding claim 26, Dowling et al. disclose in figure 1, a method for providing location dependent information to a wireless communication device that communicates over a wireless network, comprising:

receiving a message from the wireless communication device, the message containing an indication of a service request and an indication of the location of the wireless communication device (col. 14, lines 33-38);

generating a reply based on the service request indication and the location indication (col. 14, lines 38-57);

formatting (inherently to col. 8, lines 45-56) the reply as a second message for communication over the wireless network (col. 14, lines 38-57); and

sending the second message to the wireless communication device (col. 14, lines 38-57).

Regarding claim 45, Dowling et al. disclose a computer-readable medium (col. 9, lines 3-18) having instructions stored thereon for providing location dependent

information to a wireless communication device that communicates over a wireless network, the instructions when executed on a processor (col. 9, lines 3-18), causing the processor to perform:

receiving a message from the wireless communication device, the message containing an indication of a service request and an indication of the location of the wireless communication device (col. 14, lines 33-38);

generating a reply based on the service request indication and the location indication (col. 14, lines 38-57);

formatting (inherently to col. 8, lines 45-56) the reply as a second message for communication over the wireless network (col. 14, lines 38-57); and

sending the second message to the wireless communication device (col. 14, lines 38-57).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wong et al. in view of Heyward et al. (Patent Application Publication US-2002/0042266)

Regarding claim 2, Wong et al. disclose an apparatus as recited in the rejection of claim 1. But, Wong et al. do not particularly disclose wherein the two-way wireless

communication device comprises a Mobitex compatible device. However, the examiner takes official notice that Mobitex network is extremely well known in the art (see Heyward et al. Patent Application Publication US-2002/0042266); therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the apparatus of Wong et al. by specifically having wherein the two-way wireless communication device being a Mobitex compatible device in order to increase the adaptability of the device to Mobitex network.

Regarding claim 8, Wong et al. disclose a method as recited in the rejection of claim 7. But, Wong et al. fail to explicitly teach wherein receiving signals from a global positioning system comprises receiving signals from at least three satellites. However in analogous art, Heyward et al. teach wherein receiving signals from a global positioning system comprises receiving signals from at least three satellites [0035]. Since, Wong et al. and Heyward et al. are related to method for locating based on receiving signals from satellites; therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Wong et al. by specifically wherein receiving signals from a global positioning system being received from at least three satellites as taught by Heyward et al. for purpose of increasing advantageously the accuracy of the receiver for its location determination.

8. Claims 21 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wong et al. in view of Dowling et al. (US-6,522,875).

Regarding claim 21, Wong et al. disclose a method as recited in the rejection of claim 15. But, Wong et al. do not particularly show wherein requesting the service from the server comprises requesting the service from a middleware component. However in analogous art, Dowling et al. teach wherein requesting the service from the server comprises requesting the service from a middleware component (inherently to fig. 1, feature 150; see col. 17, lines 10-18 and col.19, lines 30-60). Since, Wong et al. and Dowling et al. are related to method for requesting the service from the server; therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Wong et al. by specifically wherein requesting the service from the server comprises requesting the service from a middleware component as taught by Dowling et al. for purpose of responding cooperatively to the requested service from user faster.

Regarding claim 22, Wong et al. disclose a method as recited in the rejection of claim 15. But, Wong et al. do not particularly show wherein determining a server capable of servicing the service request comprises mapping from the service request to a server capable of servicing the service request. However, Dowling et al. teach wherein determining a server capable of servicing the service request comprises mapping from the service request to a server capable of servicing the service request (col. 19, lines 1-16 and col. 14, line 58-col. 15, line10). Since, Wong et al. and Dowling et al. are related to method for requesting the service from the server; therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made

to modify the method of Wong et al. by specifically wherein determining a server capable of servicing the service request comprises mapping from the service request to a server capable of servicing the service request as taught by Dowling et al. for purpose of offering and providing helpfully the access information in user-friendly form.

9. Claims 27-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dowling et al.

Regarding claim 27, Dowling et al. disclose in figure 1, a system for accessing a computer application from a wireless communication apparatus via a wireless communication network, the system comprising: received signals from the wireless communication network and convert the signals to a message containing an indication of a service request for the computer application (col. 14, lines 33-38 and col. 6, lines 15-24); and determining a server capable of servicing the indicated service request (col. 14, lines 33-57), requests the service from the server (col. 14, lines 33-57), receives a reply from the server (col. 14, lines 33-57), formats (inherently to col. 8, lines 45-56) the reply as a second message for communication over the wireless network (col. 14, lines 38-57), and sends the formatted message to the wireless communication apparatus (col. 14, lines 38-57).

But, Dowling et al. fail to explicitly teach a plurality of wireless communications ports and an integration application in communication with the plurality of wireless communication ports. However, the examiner take official notice the wireless communications port and an integration application in communication with the plurality

of wireless communication ports are extremely well known in the art; therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the system of Dowling et al. by specifically having a plurality of wireless communications ports and an integration application in communication with the plurality of wireless communication ports for purpose of providing the portability and minimizing the size of the device. *In re Lindberg* 93 USPQ 23 (CCPA 1952).

Regarding claim 28, Dowling et al. disclose a system as recited in the rejection of claim 27, wherein the message further contains an indication of the location of the wireless communication apparatus (col. 14, lines 14-67).

Regarding claim 29, Dowling et al. disclose a system as recited in the rejection of claim 28, wherein the integration application further requests location dependent information from the server and the received reply contains location dependent information (col. 14, lines 14-67).

10. Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Darby in view of Dowling et al. (US-6,522,875).

Regarding claim 32, Darby discloses a method as recited in the rejection of claim 30, wherein performing an authentication check of the sending pager comprises: receiving a password [0027]; and determining if the sending pager is authorized to access the requested service based on the password ([0027] and [0037]). But, Darby

fails to expressly teach determining an electronic signature of the sending pager; and determining if the sending pager is authorized to access the requested service based on the electronic signature and the password. However in analogous art, Dowling et al. teach determining an electronic signature of the sending pager; and determining if the sending pager is authorized to access the requested service based on the electronic signature and the password. Since, Darby and Dowling et al. are related to method for security of data transmissions network; therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Darby by specifically determining an electronic signature of the sending pager; and determining if the sending pager is authorized to access the requested service based on the electronic signature and the password as taught by Dowling et al. for purpose of allowing advantageously only authorized user to access the requested service in order to minimize the fraud.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a) Younis (US-2002/0164998) discloses a method for position-based information.
- b) Bloebaum (US-2002/0082774) discloses a positioning receiver.
- c) Vasseur (US-2004/0054890) discloses data transmission network.
- d) Obradovich (US-2002/0045456) discloses application sever.

e) Hutcheson et al. (US-2002/0068592) disclose wireless communication services.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huy Q Phan whose telephone number is 703-305-9007. The examiner can normally be reached on 8AM-5PM.

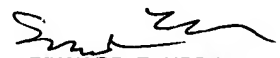
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Urban F Edward can be reached on 703-305-4385. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Phan, Huy Q

AU: 2685

Date : Aug. 06, 2004


EDWARD F. URBAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600